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ABSTRACT

Designed to simulate a Senate committee hearing on software copyright laws, this role-playing game exposes students to a wide variety of viewpoints about software copying, including piracy. The game is structured to bring out as many points of view as possible; the goal of the simulation is exposure to these various points, not the final committee vote. Each of the lobbying groups has been given a list of arguments supporting its position on the proposed legislation. It will be the task of opposing groups to point out any fallacious information these groups present. The game is intended to be played over three days: activities on Day 1 introduce the game and the topic of software copying. Roles are then described and assigned, and the players are given time to prepare for their roles. Day 2 is devoted to testimony by the lobbyist groups and questions by the senators. Day 3 begins with rebuttal testimony by the lobbying groups and the senators' questioning. After a recess, the voting is conducted and reporters read their news stories to the group. The simulation concludes with a review of the game conducted by the instructor. (JB)

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SIMULATION GAME:

SENATE COMMITTEE HEARING ON SOFTWARE COPYRIGHT LAWS

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BACKGROUND FOR INSTRUCTORS

Overview

This role-playing game is designed to simulate a Senate committee hearing on software copyright laws. The purpose of the game is to expose students to a variety of viewpoints about software copying, including piracy. This is an issue where they have made or will be making personal decisions. For the most part, the law won't deter them from making illegal copies of programs ("pirating"). Neither will software copy-protection schemes; they only will slow down the person who is determined to make a copy. The major points that are most likely to deter them will be: 1) the realization that ultimately it will benefit them as a software producer or consumer that illegal copies are not made; and 2) that others with whom they can identify might be hurt by such copying.

The game is structured to bring out as many points of view as possible. The goal of the simulation is exposure to these various points, not the final committee vote. Each of the lobbying groups has been given a list of arguments supporting its position on the proposed legislation. These were distilled and paraphrased from articles and letters that have been printed in newspapers and computer magazines. Many of the points will be fallacious. It will be the task of opposing groups to point out these fallacies.

The actual copyright law has been simplified by omitting the provision allowing disk copying in order to utilize a program. This has been done because it isn't a major point for the participants and only would make the issue more complex.

The game is spread over three days. Activities on Day 1 introduce the game and the question of software copying. Roles are described and assigned. Players then are given time to prepare for their roles.

Day 2 is devoted to testimony by the lobbyist groups and questions by the senators. Day 3 begins with rebuttal testimony by the lobbying groups and senators' questioning. After a recess, the voting is conducted. Reporters then read their news stories to the group. The simulation concludes with a review of the game conducted by the instructor.

Day 1: Preparation for the Game

The first day is devoted to preparation for the simulated Senate hearing. The following sequence is suggested:

1. Introduction to the game.

   "Different computer users have different needs or wishes regarding making copies of software. Who are some of those who use microcomputers and software?"

   List their responses on the chalkboard. Typical responses are:

   Individuals at home
   Lawyers
   Big companies like Campbell Soup
   Doctors
   Teachers

2. If you get a response that is a broad category (*e.g.*, big companies, professionals) or is vague, ask the student for an example. ("What do you mean by _____? Can you give me an example?")

3. Ask students to identify groups that may use software in similar ways (e.g., doctors and lawyers). ("Which ones might we put together because they have similar uses?")

   Mark groups on the board.

4. After groups have been identified, ask students to discuss ways each group buys and uses software. ("How is group A different from group B?")

5. Introduce the question of making copies of software. How might each group feel about the question?

6. Introduce the Senate Hearing. Describe the general game and its purposes (*i.e.*, examining various viewpoints on software copying).

7. Describe the roles that will be played in the game, including the various lobbying groups.

   a. **Senators.** Your task as a senator will be to listen to the testimony presented, question the lobbyists, persuade other senators to agree with your point of view, and then vote on the amendments that are before the committee.

   b. **Reporters.** Your task will be to gather information in order to write a news story for your newspaper or magazine. Reporters will represent one of the following:

      - Washington Press. A major daily newspaper.

      - CompWorld. A weekly magazine that reports news of interest to those who make, program for or use computers at home or in small businesses.

      - Lobbyist News. This newsletter is written for large companies that regularly support major lobbying efforts.

   c. **Lobbyists.** Teams of lobbyists will be presenting testimony before the committee. The arguments will reflect the organization that has hired them to represent their interests. You will be given a list of points that represent the interests of people who share the goals of your lobbying group.

      - American Education Association. This is a large national organization of school administrators and teachers.

      - American Business League. This group represents major industrial companies from throughout the country.

      - Affiliated Computer Users. This is a lobbying group formed by clubs of computer users. Most of the club members use their computers at home for personal business and recreation.

      - National Business and Professional Association. The members of this group are small business owners and professionals (*e.g.*, doctors, lawyers).

      - National Computer Association. This group represents large computer companies producing hardware and/or software.

      - Programmers of America. This is an association of independent programmers and small software companies.

8. Ask for volunteers for the various roles. Have students sign up on the sheet provided. The game is designed for 33 students. If there are fewer than 33, cut down on the number of senators. If there are more than 33, double up on the roles of senators. Each student should have an assigned role.

   A key role will be that of Senator Aiken. The student playing this role must be able to maintain order and keep the simulation moving following the allotted time.

9. Pass out packets. Ask the students to read everything in the packet. Remind them to keep all papers in the packet so the game can be played again.

10. Have students check their packets to see that they are complete. Each packet should contain:

    - Introduction to Senate Hearing on Software Copyright Laws
    - Senate Committee Hearing Procedures
    - the appropriate Task Card
    - (Senator Aiken only) a copy of the Voting Record
    - name card

11. Give students time to prepare for the simulation. Senators can discuss the various points raised in the introductory activity and argue based on their assigned biases. Lobbyists should get together to plan their presentations. Reporters can listen in on the various groups in order to gather background information for their articles. Encourage all students to discuss the issues with instructors and other students before the game. The instructor can meet with Senator Aiken at this time to review the procedures for conducting the Senate Hearing.

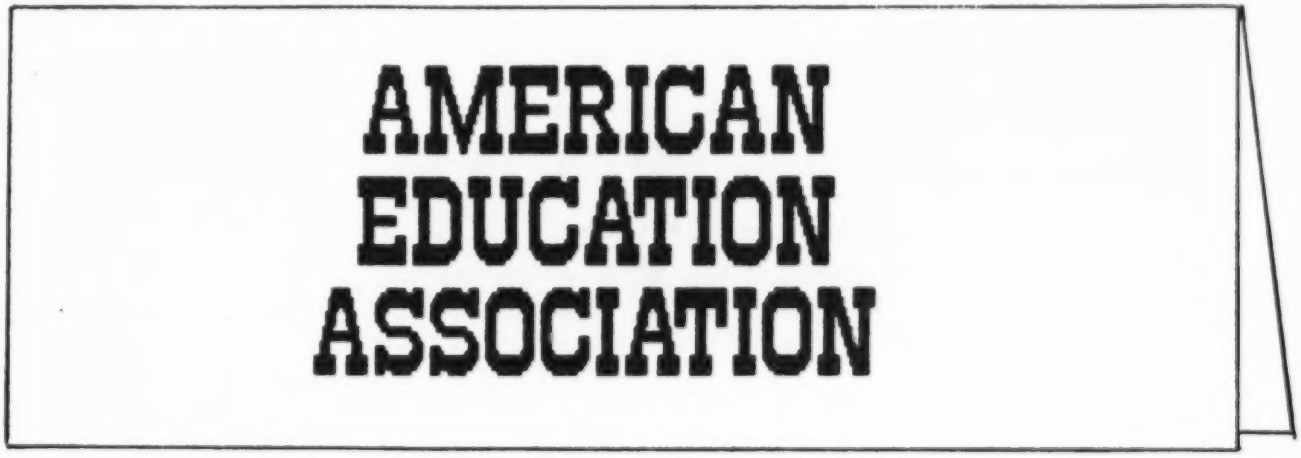
Materials

Each player's packet will contain the following:

- Introduction to Senate Hearing on Software Copyright Laws
- Senate Committee Hearing Procedures
- task card for the assigned role
- name card (*optional: Cut and mount names to a 5 x 8 file card folded lengthwise.*)

Copies

Introduction to Senate Hearing	1 for each player
Senate Committee Hearing Procedures	1 for each player
Senators' task cards	1 of each
Lobbyists' task cards	3 of each
Reporters' task cards	3
Sign-up sheet	1
Voting record	1
Name cards	1 each role



sample name card

Procedures and Timing for the Senate Hearing

Set up the room to resemble a Senate hearing room. Have the senators sitting in a semicircle with Senator Aiken in the center. Place a table and chairs for witnesses so that they can face the senators but still be heard by others.

The sequence and estimated timing are listed below. While the timing might appear to be tight, most witnesses won't take the full five minutes allotted for testimony. Question periods should be held to the three-minute time limit. This is where time can be consumed easily. If there appear to be unanswered questions at the end of the first day's testimony, further questions can be asked on the second day of the hearing.

Day 2: First day of the Senate Hearing

1.	Call hearing to order (Senator Aiken)	2 minutes
2.	Reading of proposed amendments (Senator Aiken)	2 minutes
3.	Reading of procedures (Senator Aiken)	3 minutes
4.	Testimony by witnesses (6 groups x 5 minutes)	30 minutes
5.	Questioning (6 groups x 3 minutes)	18 minutes
6.	Recess hearing for the day (Senator Aiken)	
	total	55 minutes

Day 3: Second day of the Senate Hearing

1.	Call meeting back to order	2 minutes
2.	Read amendment	2 minutes
3.	Rebuttal testimony and questions (6 groups x 3 minutes)	18 minutes
4.	Recess	5 minutes
5.	Voting	4 minutes
6.	Reporters (3 times x 3 minutes)	9 minutes
	subtotal	40 minutes
7.	Review of Senate Hearing Simulation	15 minutes
	total	55 minutes

Role of the Instructor

Try to be as unobtrusive as possible during the hearing. Accept questions from the players, but avoid taking an active role. If there are questions regarding procedures, answer them directly to keep the game moving.

If witnesses seem to feel distressed because they can't answer some questions, remind the group that witnesses in real hearings can't answer all questions either.

Reviewing the Senate Hearing

Focus the discussion following the game on key points that led to decisions. Sample questions:

"What points seemed to be most important in influencing the vote?"

"Is there a better proposal than the two presented as amendments?"

"What are the most important points that should be considered in designing a law covering program copying?"

Rules and Sequence of the Hearing

(The excerpt is a detailed decription of the sequence and rules for the hearing.)

Excerpt from TASK CARD: SENATOR AIKEN, COMMITTEE CHAIR

First day of the hearings

1. Call the hearing to order.
2. Read the proposed amendments.
   a. Software users will be permitted to make unlimited copies for use at a single site.
   b. No mechanical or electronic means shall be used to prevent a computer program owner from making copies of the software.

Excerpt from TASK CARD: SENATOR AIKEN, COMMITTEE CHAIR (continued)

3. Read the following Senate Committee Hearing Procedures.

   a. Each group will be given five minutes to testify.

   b. There will be a three minute question-and-answer period after each group testifies. Senators will ask questions first. They may ask questions of the current witnesses or any witnesses who already have testified. After the senators have completed their questions, any witness may ask questions or refute the current group's testimony.

   c. After each group has testified, the hearings will be recessed for the day.

   d. The second day of the hearings will begin when the meeting is called to order.

   e. Each lobbying group will be allowed to make rebuttal statements. Senators may ask questions when the rebuttal testimony is finished. After the senators have completed their questions, other witnesses may ask questions or refute the current group's testimony. Time for rebuttal testimony and questions will be limited to three minutes per group.

   f. After a five-minute recess, a roll-call vote will be held.

   g. Reporters will present their news stories.

4. Call the first witnesses.

   a. Time each group. (You may have another senator do the actual timing for you.) Limit each group to five minutes for their presentation. Allow three minutes of questioning, starting with any senators who wish to speak or ask questions.

5. Recess the hearing for the day.

Excerpt from TASK CARD: SENATOR AIKEN, COMMITTEE CHAIR (continued)

Second day of the hearings

1. Call the hearing to order.

2. Read the proposed amendments.

   a. Software users will be permitted to make unlimited copies for use at a single site.

   b. No mechanical or electronic means shall be used to prevent a computer program owner from making copies of the software.

3. Read the Senate Committee Hearing Procedures for the second day (e. through g. on the first page).

4. Have the lobbying groups present rebuttal testimony. Call each of the groups in reverse order from the order in which they spoke the first day. After the group has completed its testimony, senators may make statements or ask questions. After senators are finished and if time remains, other lobbyist groups may ask questions or refute the testimony. The total time for each group is limited to three minutes.

5. Call a five-minute recess. Start getting the group back together after about three minutes.

6. Begin the roll-call vote. Call off each senator's name and have the senator indicate "yes" or "no" for each amendment. Record the vote on the sheet provided.

7. Announce the outcome of the vote. A majority vote on either position means that it will go forward to the full senate.

8. Ask each of the reporters to read his/her news story.

   a. Reporter A from the Washington Press.
   b. Reporter B from CompWorld.
   c. Reporter C from Lobbyist News.

Rules for Lobbyists

1. Prepare your testimony by reading the information provided below. The points listed are typical of those raised in articles and letters that have been printed in newspapers and computer magazines. Many of the points would be questioned by others involved with computers. You may introduce your own arguments and do not have to use any of those presented. Discuss these and other possible issues with other members of your team, other students and instructors.

2. Your group will have up to five minutes to present your case. The three of you may organize your testimony any way you decide. Present your testimony when the committee chair calls on your group.

3. Listen to the presentations given by other groups. You may contradict their testimony after they have completed their presentation and senators have asked their questions.

4. During the recess, try to encourage senators to vote your way.

Rules for Senators

1. Read over the bias note below. While any bias stated might influence your questions and vote, you are free to vote whatever way you decide on the amendments.

2. Listen to the testimony presented by each of the lobbying groups. After their testimony is completed, you may ask questions of the witnesses or any others who already have testified.

3. During the recesses try to convince other senators to vote your way.

4. Be prepared to discuss why you voted the way you did after the game.

Note on Senators' Biases

Six of the senators have been given a description of biases they have that may affect the way they vote on the amendments. These are given to increase the reality of the simulation and add to the range of questions asked by senators.

SIGN UP FOR ONE OF THE ROLES BELOW

American Education Association	1.	_____
	2.	_____
	3.	_____
American Business League	1.	_____
	2.	_____
	3.	_____
Affiliated Computer Users	1.	_____
	2.	_____
	3.	_____
National Business & Professional Association	1.	_____
	2.	_____
	3.	_____
National Computer Association	1.	_____
	2.	_____
	3.	_____
Programmers of America	1.	_____
	2.	_____
	3.	_____
Reporters	1.	_____
	2.	_____
	3.	_____

Sign Up Sheet
page 2

Senator Aiken, Committee Chair _____

Senator Babbage _____

Senator Berry _____

Senator Bittle _____

Senator Chipman _____

Senator Eckert _____

Senator Fields _____

Senator Keyes _____

Senator Lovelace _____

Senator Powers _____

Senator Ramirez _____

Senator Roman _____

VOTING RECORD

	PROPOSAL 1		PROPOSAL 2	
	YES	NO	YES	NO
SENATOR AIKEN				
SENATOR BABBAGE				
SENATOR BERRY				
SENATOR BITTLE				
SENATOR CHIPMAN				
SENATOR ECKERT				
SENATOR FIELDS				
SENATOR KEYES				
SENATOR LOVELACE				
SENATOR POWERS				
SENATOR RAMIREZ				
SENATOR ROMAN				

INTRODUCTION TO SENATE HEARING ON SOFTWARE COPYRIGHT LAWS

A Senate committee hearing is to be held to consider amendments to the copyright laws regarding computer programs. Current law provides that copies generally cannot be made of computer programs (software) or documentation. The only exception is that the owner of a program may make a single copy to store away in case the original is damaged or lost. This copy cannot be sold, traded or given away unless it is being transferred along with the original program.

Two amendments have been proposed:

1. Software users will be permitted to make unlimited copies for use at a single site.

2. No mechanical or electronic means shall be used to prevent the owner of a computer program from making copies of the software.

The following groups will be presenting testimony at the hearing:

American Education Association. This is a large national organization of school administrators and teachers.

American Business League. This group represents major industrial companies from throughout the country.

Affiliated Computer Users. This is a lobbying group formed by computer clubs. Most of the club members use their computers at home for personal business and recreation.

National Business and Professional Association. The members of this group are small business owners and professionals (e.g., doctors, lawyers).

National Computer Association. This group represents large computer companies producing hardware and/or software.

Programmers of America. This is an association of independent programmers and small software companies.

Each of you will take part in the hearings as a witness, senator or reporter. At the end of the hearing, senators will vote on each of the two proposed amendments. If a proposal receives a majority vote, it will be sent on to the full Senate for consideration.

SENATE COMMITTEE HEARING PROCEDURES

First day of the Senate Hearing on Software Copyright Laws

1. The Senate committee hearing will be called to order by the committee chair, Senator Aiken.

2. Senator Aiken will read the two proposals under consideration.

3. Testimony will be presented by each of the lobbyist groups. The testimony will be limited to five minutes. After each group has completed its testimony, senators may ask questions.

4. The hearings will recess for the day.

Second day of the Senate Hearing on Software Copyright Laws

1. The hearing will be called to order by Senator Aiken.

2. Each lobbyist group will have up to three minutes to contradict testimony given by other groups and to answer direct questions.

3. Following the completion of testimony, there will be a brief recess.

4. Senator Aiken will conduct a roll call vote on each of the two amendments. A simple majority is required for each amendment to be passed on to the full Senate for its consideration.

5. Reporters will present their news stories.

6. The group will review the game.

TASK CARD: SENATOR AIKEN, COMMITTEE CHAIR

Role as Committee Chair

First day of the hearings

1. Call the hearing to order.

2. Read the proposed amendments.

   a. Software users will be permitted to make unlimited copies for use at a single site.

   b. No mechanical or electronic means shall be used to prevent a computer program owner from making copies of the software.

3. Read the following Senate Committee Hearing Procedures.

   a. Each group will be given five minutes to testify.

   b. There will be a three minute question-and-answer period after each group testifies. Senators will ask questions first. They may ask questions of the current witnesses or any witnesses who already have testified. After the senators have completed their questions, any witness may ask questions or refute the current group's testimony.

   c. After each group has testified, the hearings will be recessed for the day.

   d. The second day of the hearings will begin when the meeting is called to order.

   e. Each lobbying group will be allowed to make rebuttal statements. Senators may ask questions when the rebuttal testimony is finished. After the senators have completed their questions, other witnesses may ask questions or refute the current group's testimony. Time for rebuttal testimony and questions will be limited to three minutes per group.

   f. After a five-minute recess, a roll-call vote will be held.

   g. Reporters will present their news stories.

4. Call the first witnesses.

   a. Time each group. (You may have another senator do the actual timing for you.) Limit each group to five minutes for their presentation. Allow three minutes of questioning, starting with any senators who wish to speak or ask questions.

   Suggested order of witnesses:

   1. American Education Association
   2. National Computer Association
   3. National Business and Professional Association
   4. Affiliated Computer Users
   5. Programmers of America
   6. American Business League

5. Recess the hearing for the day.

<u>Second day of the hearings</u>

1. Call the hearing to order.

2. Read the proposed amendments.

   a. Software users will be permitted to make unlimited copies for use at a single site.

   b. No mechanical or electronic means shall be used to prevent a computer program owner from making copies of the software.

3. Read the Senate Committee Hearing Procedures for the second day (e. through g. on the first page).

4. Have the lobbying groups present rebuttal testimony. Call each of the groups in reverse order from the order in which they spoke the first day. After the group has completed its testimony, senators may make statements or ask questions. After senators are finished and if time remains, other lobbyist groups may ask questions or refute the testimony. The total time for each group is limited to three minutes.

5. Call a five-minute recess. Start getting the group back together after about three minutes.

6. Begin the roll-call vote. Call off each senator's name and have the senator indicate "yes" or "no" for each amendment. Record the vote on the sheet provided.

7. Announce the outcome of the vote. A majority vote on either position means that it will go forward to the full senate.

8. Ask each of the reporters to read his/her news story.

   a. Reporter A from the Washington Press.
   b. Reporter B from CompWorld.
   c. Reporter C from Lobbyist News.

Rules for Senators

1. Read over the bias note below. While any bias stated might influence your questions and vote, you are free to vote whatever way you decide on the amendments.

2. Listen to the testimony presented by each of the lobbying groups. After their testimony is completed, you may ask questions of the witnesses or any others who already have testified.

3. During the recesses try to convince other senators to vote your way.

4. Be prepared to discuss why you voted the way you did after the game.

Personal Bias for Senator Aiken

You have been a senator for many years. Because of your seniority in the Senate, you have received campaign contributions from almost all of the groups who are testifying. You really do not care if you offend any one group with your vote because there are so many groups willing to support your campaigns.

Rules for Lobbyists (background information)

1. Prepare your testimony by reading the information provided below. The points listed are typical of those raised in articles and letters that have been printed in newspapers and computer magazines. Many of the points would be questioned by others innvolved with computers. You may introduce your own arguments and do not have to use any of those presented. Discuss these and other possible issues with other members of your team, other students and instructors.

2. Your group will have up to five minutes to present your case. The three of you may organize your testimony any way you decide. Present your testimony when the committee chair calls on your group.

3. Listen to the presentations given by other groups. You may contradict their testimony after they have completed their presentation and senators have asked their questions.

4. During the recess, try to encourage senators to vote your way.

TASK CARD: SENATOR BABBAGE

Rules for Senators

1. Read over the bias note below. While any bias stated might influence your questions and vote, you are free to vote in whatever way you decide on the amendments.

2. Listen to the testimony presented by each of the lobbying groups. After their testimony is completed, you may ask questions of the witnesses or any others who already have testified.

3. During the recesses try to convince other senators to vote your way.

4. Be prepared to discuss why you voted the way you did after the game.

Personal Bias

You do not have any strong biases on this issue. You have received small campaign contributions from some of the lobbying groups that are testifying, but don't feel that you need to support the stand of any one of them.

TASK CARD: SENATOR BERRY

Rules for Senators

1. Read over the bias note below. While any bias stated might influence your questions and vote, you are free to vote in whatever way you decide on the amendments.

2. Listen to the testimony presented by each of the lobbying groups. After their testimony is completed, you may ask questions of the witnesses or any others who already have testified.

3. During the recesses try to convince other senators to vote your way.

4. Be prepared to discuss why you voted the way you did after the game.

Personal Bias

You come from a farming state and were a farmer before you were elected. You always have some feelings for the small, independent producer who is struggling to make it the way you did on your farm.

TASK CARD: SENATOR BITTLE

Rules for Senators

1. Read over the bias note below. While any bias stated might influence your questions and vote, you are free to vote in whatever way you decide on the amendments.

2. Listen to the testimony presented by each of the lobbying groups. After their testimony is completed, you may ask questions of the witnesses or any others who already have testified.

3. During the recesses try to convince other senators to vote your way.

4. Be prepared to discuss why you voted the way you did after the game.

Personal Bias

You do not have any strong biases on this issue. You have received small campaign contributions from some of the lobbying groups that are testifying, but don't feel that you need to support the stand of any one of them.

TASK CARD: SENATOR CHIPMAN

Rules for Senators

1. Read over the bias note below. While any bias stated might influence your questions and vote, you are free to vote in whatever way you decide on the amendments.

2. Listen to the testimony presented by each of the lobbying groups. After their testimony is completed, you may ask questions of the witnesses or any others who already have testified.

3. During the recesses try to convince other senators to vote your way.

4. Be prepared to discuss why you voted the way you did after the game.

Personal Bias

You were a doctor before you came into the Senate. You sympathize somewhat with the doctors and other professionals who are trying to operate their own small practices. Because of this, you also have some feeling for the independent producer of software who is trying to make it on his or her own.

TASK CARD: SENATOR ECKERT

Rules for Senators

1. Read over the bias note below. While any bias stated might influence your questions and vote, you are free to vote in whatever way you decide on the amendments.

2. Listen to the testimony presented by each of the lobbying groups. After their testimony is completed, you may ask questions of the witnesses or any others who already have testified.

3. During the recesses try to convince other senators to vote your way.

4. Be prepared to discuss why you voted the way you did after the game.

Personal Bias

You do not have any strong biases on this issue. You have received small campaign contributions from some of the lobbying groups that are testifying, but don't feel that you need to support the stand of any one of them.

TASK CARD: SENATOR FIELDS

Rules for Senators

1. Read over the bias note below. While any bias stated might influence your questions and vote, you are free to vote in whatever way you decide on the amendments.

2. Listen to the testimony presented by each of the lobbying groups. After their testimony is completed, you may ask questions of the witnesses or any others who already have testified.

3. During the recesses try to convince other senators to vote your way.

4. Be prepared to discuss why you voted the way you did after the game.

Personal Bias

You are from a northeastern industrial state with a strong teachers' union. The American Education Association has supported your campaigns with contributions and campaign workers in the past. They expect you to support their position.

TASK CARD: SENATOR KEYES

Rules for Senators

1. Read over the bias note below. While any bias stated might influence your questions and vote, you are free to vote in whatever way you decide on the amendments.

2. Listen to the testimony presented by each of the lobbying groups. After their testimony is completed, you may ask questions of the witnesses or any others who already have testified.

3. During the recesses try to convince other senators to vote your way.

4. Be prepared to discuss why you voted the way you did after the game.

Personal Bias

You do not have any strong biases on this issue. You have received small campaign contributions from some of the lobbying groups that are testifying, but don't feel that you need to support the stand of any one of them.

TASK CARD: SENATOR LOVELACE

Rules for Senators

1. Read over the bias note below. While any bias stated might influence your questions and vote, you are free to vote in whatever way you decide on the amendments.

2. Listen to the testimony presented by each of the lobbying groups. After their testimony is completed, you may ask questions of the witnesses or any others who already have testified.

3. During the recesses try to convince other senators to vote your way.

4. Be prepared to discuss why you voted the way you did after the game.

Personal Bias

You were the president of a major corporation before you were elected to the Senate. Your campaigns have been supported heavily by the American Business League, the National Computer Association, and some of their member companies in the past. You believe that the government should leave business alone and keep out of the regulation of businesses.

TASK CARD: SENATOR POWERS

Rules for Senators

1. Read over the bias note below. While any bias stated might influence your questions and vote, you are free to vote in whatever way you decide on the amendments.

2. Listen to the testimony presented by each of the lobbying groups. After their testimony is completed, you may ask questions of the witnesses or any others who already have testified.

3. During the recesses try to convince other senators to vote your way.

4. Be prepared to discuss why you voted the way you did after the game.

Personal Bias

In the past, you consistently have refused to support any moves the government has made to control the way businesses operate. You believe that the less government regulation of business, the better. You believe that the government should let companies operate the way they want to. If individuals, schools or others do not want to buy their software, they don't have to.

TASK CARD: SENATOR RAMIREZ

Rules for Senators

1. Read over the bias note below. While any bias stated might influence your questions and vote, you are free to vote in whatever way you decide on the amendments.

2. Listen to the testimony presented by each of the lobbying groups. After their testimony is completed, you may ask questions of the witnesses or any others who already have testified.

3. During the recesses try to convince other senators to vote your way.

4. Be prepared to discuss why you voted the way you did after the game.

Personal Bias

You do not have any strong biases on this issue. You have received small campaign contributions from some of the lobbying groups that are testifying, but don't feel that you need to support the stand of any one of them.

TASK CARD: SENATOR ROMAN

Rules for Senators

1. Read over the bias note below. While any bias stated might influence your questions and vote, you are free to vote in whatever way you decide on the amendments.

2. Listen to the testimony presented by each of the lobbying groups. After their testimony is completed, you may ask questions of the witnesses or any others who already have testified.

3. During the recesses try to convince other senators to vote your way.

4. Be prepared to discuss why you voted the way you did after the game.

Personal Bias

You strongly believe that computers are the wave of the future. You also worry that only the rich and their children will have the opportunity to learn how to use computers unless everything is done to allow computer technology (including software) to get into the hands of as many people as possible. You tend to support the position of home computer owners.

TASK CARD: AFFILIATED COMPUTER USERS

Rules for Lobbyists

1. Prepare your testimony by reading the information provided below. The points listed are typical of those raised in articles and letters that have been printed in newspapers and computer magazines. Many of the points would be questioned by others innvolved with computers. You may introduce your own arguments and do not have to use any of those presented. Discuss these and other possible issues with other members of your team, other students and instructors.

2. Your group will have up to five minutes to present your case. The three of you may organize your testimony any way you decide. Present your testimony when the committee chair calls on your group.

3. Listen to the presentations given by other groups. You may contradict their testimony after they have completed their presentation and senators have asked their questions.

4. You will be given up to three minutes to provide rebuttal testimony on the second day of the hearings.

5. Try to encourage senators to vote your way during the recesses.

Description of Affiliated Computer Users and Its Views

You represent computer clubs from throughout the country. The members of these clubs mainly are home computer users. The following are some positions stated by individuals who own microcomputers:

1. Programs are overpriced. Why should I pay $30 to $300 for a program when the software company pays less than $1.00 for a blank disk? If the prices were reasonable, I wouldn't be tempted to copy programs.

2. There is no good way to try out software before you buy it. Much of what I've bought is awful. If I try out a program that I've copied from a friend and it's good, then I'll buy it.

3. I've bought programs\that didn't work and the company wouldn't do anything about it. Software companies are getting what they deserve.

4. Everybody makes Xerox copies of magazine articles, tapes shows on their VCR's and copies cassette tapes of records. Why shouldn't we be allowed to copy software? What's the difference?

5. That company that made the computer I bought never has given me any service. They deserve to get their software ripped off. I do it whenever I get the chance.

6. There are four of us who go together to buy a program and then make copies. None of us could buy it alone. The company wouldn't get any money if we didn't buy it at all.

7. You buy a program and then the company wants you to pay $10 to $30 for a backup copy. That's not fair!

TASK CARD: AMERICAN BUSINESS LEAGUE

Rules for Lobbyists

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Description of the American Business League and Its Views

Your group represents major industrial companies that are using computers, including micros, in their businesses. Your group naturally sympathizes with the large computer companies. One major concern your sponsors have is that the best possible software is produced. The cost of a particular program isn't a major concern. Good microcomputer software that is available "off-the-shelf" is much cheaper than paying to have programs custom designed. Ideally, they would like to pay a flat fee and then be able to make copies of the software throughout the company. Although it would save some money if they could buy just one copy of a program and duplicate it for all of their computers, they probably would oppose the proposed changes as currently written.

TASK CARD: AMERICAN EDUCATION ASSOCIATION

Rules for Lobbyists

1. Prepare your testimony by reading the information provided below. The points listed are typical of those raised in articles and letters that have been printed in newspapers and computer magazines. Many of the points would be questioned by others innvolved with computers. You may introduce your own arguments and do not have to use any of those presented. Discuss these and other possible issues with other members of your team, other students and instructors.

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Description of the American Education Association and Its Views

Schools are in a bind. Many parents are demanding that the schools train their children to become computer literate. A great many teachers agree with them. They also realize that computers can be excellent aids to learning other subjects. The major problem is one of money. How will schools finance the purchase of computers and software in a time of declining budgets?

Following are a few of the points raised by educators. Consider these and also come up with some of your own.

1. Software is too expensive. How can a school expect to pay $200 or even $50 a program given all the different programs a teacher would like to use?

2. Under current laws, you have to buy a copy of a program for each computer. If you have 30 computers and want each student in a class to work on the same program at one time, you would have to pay $1,500 to have enough copies of a $50 program. And that's only one program!

3. Kids are hard on disks. If your only copy of a program is bombed by some student with peanut-butter covered fingers, you are out of luck. Most software is protected so that it can't be copied easily, even for a backup. Many companies charge $10 to $30 for a backup copy. That's not fair and we can't afford it.

4. Many programs are poor, but there isn't a good way to test software first. A lot of money is wasted on programs that just aren't any good or aren't right for my students.

Computer-Using Educators, a real group, has proposed the following policy regarding the purchase of computer programs:

1. Software companies should make it possible for schools to pay a reasonable fee that would allow a program to be used on all computers at a single school site.

2. Schools should be allowed to make backup copies free of charge.

TASK CARD: NATIONAL BUSINESS AND PROFESSIONAL ASSOCIATION

Rules for Lobbyists

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5. Try to encourage senators to vote your way during the recesses.

The National Business & Professional Association and Its Views

Your group represents small business owners and professionals (*e.g.*, doctors and lawyers). Most of the members of the group who use microcomputers have one to four machines. Programs they use typically cost from $200 to $500 each.

Following are some statements made by small business owners and professionals:

1. I have four offices and a computer in each one. I'm not going to buy four copies of the same program.

2. We've bought software that costs $350 and then found out that it didn't do what the company advertised. Do you think that they gave us our money back?

3. If you buy a program, you own it. When you purchase a product, you should be able to do anything you want with it, including making copies.

TASK CARD: NATIONAL BUSINESS AND PROFESSIONAL ASSOCIATION

Rules for Lobbyists

1. Prepare your testimony by reading the information provided below. The points listed are typical of those raised in articles and letters that have been printed in newspapers and computer magazines. Many of the points would be questioned by others innvolved with computers. You may introduce your own arguments and do not have to use any of those presented. Discuss these and other possible issues with other members of your team, other students and instructors.

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3. If you buy a program, you own it. When you purchase a product, you should be able to do anything you want with it, including making copies.

4. I run a small business and have bought some software. What galls me is to pay $300 for a program and then be told that I have to pay $25 for a backup. If my original copy goes out, I'm really lost. Why should I have to pay that much for a $2.00 copy when I paid so much in the beginning. I can't wait six weeks for a replacement disk to be mailed to me so I'm forced to pay their price for the backup.

5. You go to a computer store and there's no one there who knows how to run a business program. All they know is games. There's no way that you can tell if a program will fit your needs until after you have purchased it and tried it out. If it's no good, you're stuck. I'm going to get a copy of a program from a friend first. Then if it's good and meets my needs, I'll buy it.

TASK CARD: NATIONAL COMPUTER ASSOCIATION

Rules for Lobbyists

1. Prepare your testimony by reading the information provided below. The points listed are typical of those raised in articles and letters that have been printed in newspapers and computer magazines. Many of the points would be questioned by others innvolved with computers. You may introduce your own arguments and do not have to use any of those presented. Discuss these and other possible issues with other members of your team, other students and instructors.

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Description of the National Computer Association and Its Views

Your association represents major computer hardware and software producers. Following are some statements typical of those from the companies you represent.

1. It takes a major effort and expense to produce a good software program. While it may cost only a dollar for a blank disk, that represents the smallest part of our costs. Most computer users don't realize that computer stores make money from each software sale. The programmer is paid a salary or royalty. Advertising is expensive, yet if we didn't pay for it, you would never hear about our product. Good software is expensive to produce and market.

2. Good computer programs are expensive to develop. If we don't make a profit on what we sell, we'll stop producing new programs and everyone will suffer.

3. Pirated copies aren't free! Just as a retail store has to add to its price to cover merchandise lost to shoplifters, we have to add to the price of our software to cover money lost through pirated copies.

4. If we didn't protect our software from copying, even for backups, we would sell one or two copies and then watch them spread around.

5. Our companies all offer support for users who call or write for information on how to use programs. Many of their questions could have been answered if they only had read the manuals. Having qualified people ready to answer questions is expensive--and it is part of what you pay for when you buy a program.

6. How can you say that a software program is too expensive? If you think that it's overpriced, don't buy it. It's not a necessity. If we charge too much, we soon will find out through no sales or by having another company come out with a competing product at a lower price.

7. If you sold one unprotected copy to a company or school and let them make all the copies they wanted, you would have to raise the price of each copy so high that many people who wanted to use it on one or two machines couldn't afford to buy it.

8. A school is a business like any other. Why should they expect different treatment than others get? If a textbook is damaged, do they expect a free replacement? Why should they expect to get cheap software? If they want to get software cheaply, they'll get exactly the quality they pay for. It's expensive to develop good educational programs.

TASK CARD: PROGRAMMERS OF AMERICA

Rules for Lobbyists

1. Prepare your testimony by reading the information provided below. The points listed are typical of those raised in articles and letters that have been printed in newspapers and computer magazines. Many of the points would be questioned by others innvolved with computers. You may introduce your own arguments and do not have to use any of those presented. Discuss these and other possible issues with other members of your team, other students and instructors.

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3. Listen to the presentations given by other groups. You may contradict their testimony after they have completed their presentation and senators have asked their questions.

4. You will be given up to three minutes to provide rebuttal testimony on the second day of the hearings.

5. Try to encourage senators to vote your way during the recesses.

Description of the Programmers of America and Its Views

You represent a group of software producers who operate small software businesses. Most of them only have one to three programs on the market at any one time, and are on shaky financial grounds. Many of the programmers still are working at other jobs and handle their businesses out of their homes on a part-time basis.

Following are comments typical of many members of your group.

1. The program I have out is my livelihood. Every pirated copy made means that my company has that much less chance to survive.

BEST COPY AVAILABLE

2. For every program I write that sells well, several do not. It has happened more than once that I've developed a program, paid for advertisements, and then found that another company has brought out a similar program that is just a bit better. I lose my shirt on that one and have to make it up on the next.

3. If I don't make enough money on the programs I write, I'll stop writing them. Then everyone loses.

4. If you don't protect a program disk, there will be fifty copies made for every one that is sold.

5. How often do you come up with a truly original idea? To have that idea and the hundreds of hours it took to put it into a smoothly running program given away through unprotected software is absolutely unacceptable to me.

6. I can make $30 to $50 an hour as a computer consultant. To think that I will sell a program for $10 to $15 and end up making five dollars an hour for my programming time is crazy.

TASK CARD: REPORTERS

There are three reporters. Your job is to gather information in order to write a news story for your newspaper or magazine. Think about points raised in the hearing that will be of particular interest to your readers. After the hearing and vote, you will present a two-minute news story.

Decide among yourselves the publication you each wish to represent. When you present your story, identify your publication and describe its readers.

Reporter A. You are a reporter for the Washington Press, a major newspaper. You will be writing for readers who aren't very familiar with the whole question of software copying and piracy.

Reporter B. You are a reporter for CompWorld, a weekly magazine read mainly by microcomputer users. You will be looking for points of interest to home computer users, small business owners and professionals, and independent programmers.

Reporter C. You are a reporter for Lobbyist News. This journal is prepared for large companies who support major lobbying efforts. Included among these are companies producing hardware and software.

AMERICAN
EDUCATION
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OF AMERICA

NATIONAL BUSINESS AND PROFESSIONAL ASSOCIATION

NATIONAL COMPUTER ASSOCIATION

REPORTER WASHINGTON PRESS

REPORTER COMPWORLD

REPORTER LOBBYIST NEWS

SENATOR AIKEN

SENATOR BABBAGE

SENATOR BERRY

SENATOR BITTLE

SENATOR
CHIPMAN

SENATOR
ECKERT

SENATOR
FIELDS

SENATOR
KEYES

SENATOR
LOVELACE

SENATOR
POWERS

SENATOR
RAMIREZ

SENATOR
ROMAN

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SENATOR